

**UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF NEW YORK**

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Gem City Management, Inc., : Case No. 21-cv-7676  
: ECF Case  
Plaintiff, :  
: -against-  
Jeffrey Rinde, CKR Law LLP, Donald Hirsch :  
Monster Capital Corp, Safari Trading LLC, and :  
Rick Siegel, :  
Defendants. :  
:-----X

**DEFENDANTS COUNSEL'S MEMORANDUM OF LAW IN SUPPORT OF  
DEFENDANTS' COUNSEL'S MOTION TO WITHDRAW AS COUNSEL FOR  
DEFENDANT SAFARI TRADING LLC**

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**PRELIMINARY STATEMENT**

Conway & Conway (“Defendants’ Counsel”), Counsel for Defendant Safari Trading, LLC (“Safari” or “Defendant”), hereby submits this Memorandum of Law in Support of a Motion to Withdraw as Counsel for Defendant Safari, pursuant to Title 46 of the Code of Federal Regulations § 502.23(e) and Local Civil Rule 1.4.

**LEGAL ARGUMENT**

Pursuant to 46 C.F.R. § 502.23(e), “[i]f an attorney wishes to withdraw from representing a party, and written consent is not obtained, or if the party is not otherwise represented, the withdrawing attorney shall file an appropriate motion seeking permission to withdraw and provide appropriate reasons for making the motion. Such motion will be decided in consideration of the factors and standards set forth in Rule 1.16 of the American Bar Association’s Model Rules of Professional Conduct and by the courts.” *46 C.F.R. § 502.23(e)*.

Pursuant to Rule 1.16(a)(3) of the American Bar Association’s Model Rules of Professional Conduct, “a lawyer shall not represent a client or, where representation has commenced, shall withdraw from the representation of a client if... (3) the lawyer is discharged.” As of the present date, Defendants’ Counsel has been discharged by Defendant Safari in relation to the instant matter, as stated in the attached Affidavit of Kevin P. Conway. Thus, pursuant to the Model Rules of Professional Conduct, Defendants’ Counsel is required to withdraw from its representation of Defendant Safari.

**CONCLUSION**

Due to the termination of Defendants' Counsel by Defendant Safari, Defendants' Counsel requests that the Court grant Defendants' Counsel's request to withdraw as Counsel for Defendant Safari.

DATED:      New York, New York  
                 April 7, 2022

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